

Regulatory Language

Subsection 105(c), Title 14, CCR is amended to read:

§105. Importation and Sale of Kelp Bass, Sand Bass, and Spotted Bass.

[text]

~~(c) All tags shall be furnished by the Department of Fish and Game at cost; however, a \$10 administrative fee shall be charged for each order. A fee as specified in Section 705, for each tag order shall be paid to the department to cover administrative costs.~~

Note: Authority cited: Section 8372, Fish and Game Code. Reference: Sections 2345 and 8372, Fish and Game Code.

Section 105.1, Title 14, CCR is amended to read:

§105.1. Permits to Land California Caught Fish at Points Outside of California.

The department may issue revocable permits to land fish caught from the waters of the Pacific Ocean within California at a point or place other than within this state under the following conditions:

~~(a) Applications and a \$16.00 application fee shall be submitted to the department. The applicant for a permit shall submit the fees and the completed application, as specified in Section 705, to the address listed on the application.~~

The applicant shall provide the following information.

(1) Name and address of operator of boat.

(2) Name and address of owner of boat.

(3) Name of boat.

(4) Fish and Game boat registration number.

~~(5) Custom house or CF number.~~

~~(6)~~ (5) Commercial fishing license number. identification number of operator of boat.

~~(7)~~ (6) Species of fish to be taken.

~~(8)~~ (7) Type of gear to be used.

~~(b) All permits shall be for the period April 1 through March 31, except that when applications are received after April 1, they will run from date of application through March 31.~~

~~(c)~~ (b) This permit may be suspended temporarily by the Director for a breach or violation of the terms of the permit by the holders thereof, their agents, servants, employees or any person acting under their direction and control. The commission shall be notified of any such suspension and subsequently may revoke or reinstate the permit or fix the period of its suspension after written notice to the permittee and after he has been afforded an opportunity to be heard.

Any person who has had his permit revoked or suspended by the commission may be required, upon application for a new or subsequent permit, to appear before the commission and demonstrate to its satisfaction that his use of such permit will be in the public interest.

~~(d)~~ (c) The permit shall contain a statement signed by the applicant that he has read, understands and agrees to be bound by all the terms of the permit.

Note: Authority cited: Sections 713, 1050, 7857 and 7891, Fish and Game Code. Reference: Sections 713, 1050, 7857 and 7891, Fish and Game Code.

Section 106, Title 14, CCR is amended to read:

§106. Permits to Commercially Take Shark and Swordfish Using Drift Gill Nets.

(a) Permit Required.

(1) The owner or operator of a vessel using drift gill nets to take shark and swordfish pursuant to sections 8561-8570 of the Fish and Game Code shall have obtained a valid drift gill net shark and swordfish permit and shall be in possession of said permit when engaged in such activities.

(2) To Whom Issued. The department shall issue permits to the owner or operator of a currently registered vessel who has qualified for said permit pursuant to sections 8561-8570 of the Fish and Game Code. The applicant, if the holder of an expired drift gill net shark and swordfish permit, shall have complied with subsection ~~(e)~~ (d) dealing with records during the preceding year.

~~(3) Where Issued. Permits will be issued at department offices in Long Beach and San Diego.~~

(4) Permit Review.

~~(A) The department shall inform the applicant, in writing, that the application is complete and accepted for filing, or that the application is deficient and what specific information is required within 10 business days of receipt of a permit application.~~

~~(B) The department shall inform the applicant, in writing, of a permit decision within 15 business days of receipt of a completed permit application.~~

~~(b) Limitations of Permit. Permits are nontransferable. Not more than one permit shall be issued to any person. Except as provided in section 8564 of the Fish and Game Code, no permit shall be valid for more than one vessel at one time.~~

~~(c) Duration of Permit. Except as otherwise provided, permits issued pursuant to these regulations shall be in force from the date of issuance through March 31, 1984. Permits issued on an annual basis after March 31, 1984 shall be in force from April 1 to March 31 of the following year or, if issued after the beginning of that term, for the remainder thereof.~~

~~(d)~~(c) Cost of Permit. See section 8567 of the Fish and Game Code.

~~(e)~~(d) Records. Pursuant to section 190 of these regulations, each permittee shall complete and submit an accurate record of all gill net fishing activities on a form (Gill and Trammel Net Log, DFG 174 (10/89), see Appendix A) provided by the department.

~~(f)~~(e) Notification Procedure. The department shall notify permittees if the director, pursuant to section 8577 of the Fish and Game Code, closes the drift gill net shark and swordfish fishery or any area where the fishery is conducted. The department shall notify a permittee if his permit is suspended pursuant to section 8576 of Fish and Game Code. In either case, the department shall notify permittees by certified mail and by public announcement on VHF/Channel 16 between 0800 hours and 1000 hours during normal business days. Radio transmissions shall commence 48 hours prior to the effective date of a closure or permit suspension and shall continue for 24 hours after the effective date of such action. It shall be the responsibility of the permittee to daily monitor the named radio channel during the specified hours.

~~(g)~~(f) A permittee may have any person serve in his place on the permittee's vessel and engage in fishing under his drift gill net shark and swordfish permit for not more than 15 calendar days in any one year, except as otherwise provided in section 8563(b) of the Fish and Game Code. A permittee shall notify the department's ~~Long Beach~~ Los Alamitos office of such a substitution by certified letter or telegram to be received at the ~~Long Beach~~ Los Alamitos office during normal business hours at least 24 hours prior to the commencement

of the trip. Any notice sent in this regard shall include, but is not limited to:

- (1) Name of the vessel;
- (2) Name and commercial fishing license number of the substitute;
- (3) Departure date and port for the trip;
- (4) Termination date and port for the trip.

Conviction of a substitute permittee for a willful violation of any provision of Article 16 (commencing with section 8560) of chapter 2 or article 1 (commencing with section 8601), or article 5 (commencing with section 8680) of chapter 3, part 3, division 6 of the Fish and Game Code or any regulation adopted pursuant thereto, while operating under the substitute permit, shall be cause to revoke or suspend the permit issued pursuant to sections 8560-8583 of the Fish and Game Code.

~~(h)~~(g) Conditions of Permit. Permit holders, their agents, servants, employees or those acting under their direction or control, shall comply with all applicable provisions of the Fish and Game Code relating to commercial fish and any regulations adopted pursuant thereto.

~~(i)~~(h) Revocation of Permits. Any permit may be revoked or suspended by the commission, when requested by the department, upon a conviction for a willful violation of any provision of article 16 (commencing with section 8560) of chapter 2 or article 1 (commencing with section 8601) or article 5 (commencing with section 8680) of chapter 3, part 3, division 6 of the Fish and Game Code, or violation of any condition of the permit by the permittee or the permittee's agent, servant, employee or person acting under the permittee's direction or control.

Note: Authority cited: Sections 1050, 7857, 8394, 8561, 8577 and 8578, Fish and Game Code. Reference: Sections 8561-8570, Fish and Game Code.

Section 107, Title 14, CCR is amended to read:

§107. Broadbill Swordfish.

(a) Permit Required.

(1) The owner or operator of a vessel taking broadbill swordfish for commercial purposes shall have obtained a valid swordfish permit and shall be in possession of said permit when engaged in such activities.

(2) To Whom Issued. The department shall issue a permit to the owner or operator of a currently registered vessel. The applicant, if the holder of an expired swordfish permit, shall have complied with subsection 107(e) dealing with records during the preceding year, or during the last year such applicant held a permit, in order to be eligible for a permit.

~~(b) Limitations of Permit. Not more than one permit shall be issued to any operator. Permits shall not be assigned or transferred from person to person unless so authorized by the department.~~

~~(c) Duration of Permit. Except as otherwise provided, permits issued pursuant to these regulations shall be in force from April 1 through March 31 of the following year, or if issued after the beginning of such term, for the remainder thereof.~~

~~(d)~~ (b) Vessel Identification. Permittees vessel shall display its assigned permit number in 10 " high x 2 ". wide black Roman alphabet letters and Arabic numerals. Figures shall be black on a white background on both sides of the superstructure of the vessel. Numbers shall be displayed at all times while operating under a swordfish permit.

~~(e)~~(c) Records. Pursuant to Section 190 of these regulations, each permittee shall complete and submit an accurate record of all swordfishing activities on a form (Swordfish Harpoon Log, DFG 107 (10/89) see Appendix A) provided by the department.

~~(f)~~(d) Conditions of Permit. Provisions of the Fish and Game Code relating to commercial

fish except as modified by the provisions of these regulations, shall be a condition of all permits to be fully performed by the holders thereof, their agents, servants, employees, or those acting under their direction or control.

~~(g)~~(e) Cost of Permit. See section 8394.5 of the Fish and Game Code.

~~(h)~~(f) Methods of Take.

(1) Swordfish may be taken only with hand-held hook and line or handthrust harpoon.

(2) Aircraft may be used to directly assist a permittee or any person in the taking of any species of fish while operating under a swordfish permit.

Only aircraft with current FAA registration which are registered with the department pursuant to Section ~~7884~~ 7892, Fish and Game Code, and aircraft pilots licensed pursuant to Section 7850, Fish and Game Code, may conduct flights for permittees. Such aircraft shall display the letters "SW" on the underside of each wing in block Roman alphabet at least 24 inches high x 3 inches wide, black in color and on a white background.

~~(i)~~(g) Notification Procedure. The department shall notify permittees if the director, pursuant to section 8577 of the Fish and Game Code, closes the swordfish harpoon fishery or any area where the fishery is conducted. The department shall notify permittees by ~~certified~~ mail and by public announcement on VHF/Channel 16 between 0800 hours and 1000 hours during normal business days. Radio transmissions shall commence 48 hours prior to the effective date of a closure and shall continue for 24 hours after the effective date of such action. It shall be the responsibility of the permittee to daily monitor the named radio channel during the specified hours.

~~(j)~~(h) Revocation of Permits. Any permit may be revoked and canceled by the commission upon breach or violation of any fish and game law or regulation or violation of the terms or conditions of the permit by the holders thereof, their agents, servants, employees or those acting under their direction and control.

Note: Authority cited: Sections 1050, ~~7884~~, 7857, 7892 and 8394, Fish and Game Code.

Reference: Sections 1050, ~~7884~~, 7857, 7892, 8394.5 and 8577, Fish and Game Code.

Subsection 110(b), Title 14, CCR is amended to read:

§110. Pismo Clams Imported into California.

[text]

(b) The commission shall require the following information on each importation of pismo clams:

State of California
Department of Fish and Game
RECORD OF ENTRY OF PISMO CLAMS INTO THE
STATE OF CALIFORNIA
(Section 2369, Fish and Game Code)

Dated _____

Name of shipping firm _____

Address _____

Name of firm shipped to _____

Address _____

Name of person in charge _____

Consumption entry No. _____

Species imported _____

In amount of _____ Pounds _____

Condition: Live _____ Sharp frozen _____ Dried _____ Sliced _____

Method of transportation _____

Remarks _____

Point of entry _____

Signature _____

Certified before me this _____ day of _____ 19____

Mexican control No. (S.P. 12) _____

Three copies made at point of entry, before a justice of the peace, notary public, or a fish and game warden or representative or federal custom immigration agent at border. One copy to remain with the shipment while it is in transit, one copy left on file with the person before whom the record is made, and one copy sent immediately to the nearest ~~Department of Fish and Game~~ department office along with a \$10-processing fee, as specified in Section 705.

[text]

Note: Authority cited: Section 2369, Fish and Game Code. Reference: Section 2369, Fish and Game Code.

Subsection 112(b)(5) ,Title 14, CCR is amended to read:

§112. Surfperch.

[text]

(5) A fee of \$10 as specified in Section 705, for each tag order shall be paid to the department to cover administrative costs.

[text]

Note: Authority cited: Section 8395, Fish and Game Code. Reference: Section 8395, Fish and Game Code.

Subsection 116(a)(1), Title 14, CCR is amended to read:

§116. Crayfish.

[text]

(1) Crayfish may not be taken for commercial purposes except under a revocable, nontransferable, numbered permit issued by the department. ~~See subsection 699(b) of these regulations for the fee for this permit. (NOTE: This fee shall be charged effective April 1, 1992.)~~ The applicant for a permit shall submit the fees and completed application, as specified in Section 705, to the address listed on the application. Persons taking crayfish for a fee under the authority of a scientific collector's permit do not need to have this permit.

[text]

Note: Authority cited: ~~Section~~ Sections 713, 1050, 8491, Fish and Game Code. Reference: Sections 713, 1050, 8491 and 15101, Fish and Game Code.

Subsection 119(b), Title 14, CCR is amended to read:

§ 119. Trawl Nets Inside of the Golden Gate Bridge.

[text]

(b) Limitation of Permit. A permit shall be issued to an individual owning or operating a vessel engaged in the fishery. ~~Permits shall not be assigned or transferred from person to person. See subsection 699(b) of these regulations for the fee for this permit.~~ The applicant for a permit shall submit the fees and completed application, as specified in Section 705, to the address listed on the application.

[text]

Note: Authority cited: ~~Section~~ Sections 713, 1050, 8832, Fish and Game Code. Reference: Sections 7857 and 8832, Fish and Game Code.

Sections 120.2(a)(2) and (g), Title 14, CCR, is amended to read:

§120.2. Pink Shrimp Trawl Permits.

[text]

(2) Southern Pink Shrimp Trawl Permit. On and after April 1, 2001, any person using a trawl net to take, possess aboard a boat, or land pink shrimp for commercial purposes in ocean waters south of a line drawn due west of Point Conception shall have a southern pink shrimp trawl

permit that has not been suspended or revoked. The applicant must be the operator of a currently registered commercial fishing vessel. ~~See subsection 699(b) of these regulations for the fee for this permit.~~ The applicant for permit shall submit the fees and completed application, as specified in Section 705, to the address listed on the application.

[text]

(g) ~~Fees.~~ Fees and Applications.

(1) The annual fee and application for a transferable northern pink shrimp trawl vessel permit is ~~incorporated by reference in Section 705. \$1,066.25.~~

(2) The fee to transfer a permit to a new owner is ~~\$1,000.~~ is incorporated by reference in Section 705. No northern pink shrimp trawl vessel permit shall be transferred without a completed application and payment of fees.

(3) The fee to transfer a permit to another vessel owned by the same permittee is ~~\$200.~~ is incorporated by reference in Section 705.

(4) The fee for a temporary permit transfer of up to one year is ~~\$400.~~ is incorporated by reference in Section 705.

(5) The annual fee and application for a nontransferable northern pink shrimp trawl vessel permit is ~~\$533.25.~~ is incorporated by reference in Section 705.

~~(6) The annual fee for a northern pink shrimp trawl individual permit is \$500.~~

~~(7) The fee to upgrade a northern pink shrimp trawl individual permit to a northern pink shrimp trawl permit is \$200.~~

[text]

Note: Authority cited: Sections 713, 1050, 8591 and 8842, Fish and Game Code. Reference: Sections 1050, 7057, 7852.2, 7858, 8101, 8591, 8841 and 8842, Fish and Game Code.

Subsection 120.3(b) is amended to read:

§120.3. Golden Prawn (*Penaeus Californiensis*), Spot Prawn (*Pandalus Platyceros*) and Ridgeback Prawn (*Eusicyonia Ingentis*) Trawling.

[text]

(b) Cost of Permit. ~~See subsection 699(b) of these regulations for the fee for this permit. (NOTE: this fee shall be charged effective April 1, 1992.)~~ The applicant for a permit shall submit the fees and the completed application, as specified in Section 705, to the address listed on the application.

[text]

Note: Authority cited: Sections 710.7, 711, 713, 1050, 8591 and 8842, Fish and Game Code. Reference: Sections 710.7, 711, 713, 1050, 8140, 8841 and 8842, Fish and Game Code.

Subsections 120.6 (c) and (g) through (k), Title 14, CCR is amended to read:

§120.6. Use of Powered Equipment of the Type, Size and Specifications Hereinafter Noted to Take Crustaceans.

[text]

~~(c) Permits may be issued annually for the period of the commercial fishing license on application filed at one of the Department of Fish and Game offices. Permits may contain additional terms and conditions, including areas of use, as prescribed by the Department of Fish and Game. See subsection 699 (b) of these regulations for the fee for this permit. The applicant for a permit shall submit the fees and the completed application, as specified in Section 705, to the address listed on the application.~~

[text]

~~(g) Each permittee shall have his permit in his possession while operating such equipment.~~
~~(h) (g) A permit shall not be assigned or transferred, and any Any right or privilege granted thereunder is subject to revocation by the Fish and Game Commission at any time.~~

~~(i) (h) All provisions of the following numbered sections of the Fish and Game Code shall be a condition of all permits to be fully performed by the holders thereof, viz: 7700-7855, 8010-8024, 8250-8283, 8603, 8630-8634, 9050-9053. All section numbers are inclusive.~~

~~(j) (i) Permits shall only be issued upon the conditions contained in the application and signed by the applicant that he has read, understands, and agrees to be bound by all terms of the permit.~~

~~(k) (i) Any permit may be revoked or suspended for a period fixed by the commission, upon the breach or violation of the terms of the permit, or any of the foregoing sections of the Fish and Game Code, or any of these regulations, or if, in the opinion of the department, the resource is endangered. Any person who has had his permit revoked may be required to appear before the Fish and Game Commission when applying for a new permit. For a period of not more than one year, the commission may defer action upon the application of any person who uses powered equipment to take ghost shrimp without first having secured a permit under these regulations.~~

Note: Authority cited: Sections 713, 1050, 7857, 8500 and 9053, Fish and Game Code.
Reference: Sections 8500 and 9053, Fish and Game Code.

Subsections 120.7(e)(1) and (f) are amended to read:

§120.7. Taking of Sea Urchins for Commercial Purposes.

[text]

(e) New Permittees:

(1) Applications as specified in Section 705 for the issuance of any new sea urchin diving permits that may become available each year shall be received by the department or, if mailed, postmarked no later than June 30. Applications shall be submitted to the department's License and Revenue Branch office in Sacramento. If any new sea urchin diving permits are available for issuance, as provided in subsection (d)(2), they shall be issued to licensed commercial fishermen who held, for each of the two immediately preceding permit years, a valid sea urchin crewmember permit.

[text]

~~(f) Fee. The fee for sea urchin crewmember permits shall be the amount authorized by Section 699 of these regulations. The applicant for a sea urchin crewmember permit shall submit the fees and the completed application, as specified in Section 705, to the address listed on the application.~~

[text]

Note: Authority cited: Sections 713, 1050, 9054 and 9055, Fish and Game Code. Reference: Sections 713, 1050, 7850, 7852.2, 7857, 9054 and 9055, Fish and Game Code.

Subsection 122(r)(1), Title 14, CCR is amended to read:

§122. Lobsters, Permits to Take.

[text]

(r) Procedures, Timelines on Permit Transfers.

(1) The holder of a valid transferable lobster operator permit that has not been suspended or revoked may transfer his/her permit to another person licensed as a California commercial fisherman. The application to transfer a permit shall be in the form of a notarized letter from the existing permit holder identifying the transferee and shall include the original transferable lobster operator permit, a copy of the transferee's commercial fishing license and a nonrefundable permit-transfer fee of five hundred dollars (\$500). as specified in Section 705. The application shall be submitted to the department's License and Revenue Branch, 1740 N. Market Blvd., Sacramento, CA 95834. The transferable lobster operator permit shall be valid for the remainder of the current lobster season and may be renewed in subsequent years pursuant to these regulations. If the transferee holds a non-transferable lobster operator permit, that permit shall be cancelled.

[text]

Note: Authority cited: Sections 1050, 8254 and 8259, Fish and Game Code. Reference: Sections 1050, 2365, 7852.2, 8043, 8046, 8250-8259, 9002-9006 and 9010, Fish and Game Code.

Subsections 123(b) through (f), Title 14, CCR are repealed to read:

§123. Tidal Invertebrates.

[text]

~~(b) Limitation of Permit.~~

~~(Not more than one permit shall be issued to any one person. Permits shall not be assigned or transferred from person to person.~~

~~(c) Duration of Permit and Fee for Permit: Any Tidal Invertebrate Permit issued pursuant to~~

~~these regulations shall be valid from April 1 to March 31 of the following year, or, if issued after the beginning of such term for the remainder thereof. See subsection 699(b) of these regulations for the fee for this permit.~~

(b) Application and Fees.

The applicant for a permit shall submit the fees and the completed application, as specified in Section 705, to the address listed on the application.

(d)(c) Permit Exemption.

Commercial fishermen taking only lobster, sea cucumber, squid, crab or sea urchin need not possess the permit as required in this section but are subject to the provisions of this section and must have the appropriate permits to take such species as required by Fish and Game Code sections 8254, 8405, 8421, 9001 and 9054, and regulations adopted pursuant thereto.

~~(e)~~(d) Provisions of this section do not apply to commercial fishermen taking freshwater clams or crayfish in inland waters.

(f)(e) Permit Conditions.

[text]

Note: Authority cited: ~~Section~~ Sections 713, 1050, 7857 and 8500, Fish and Game Code. Reference: Sections 713, 1050, 7857, 8254, 8305.5, 8306.8, 8396, 8500, 9001 and 9054, Fish and Game Code.

Subsection 124.1(b), Title 14, CCR is amended to read:

§124.1. California Halibut Bottom Trawl Vessel Permits.

[text]

(b) Renewal. Beginning April 1, 2009, and thereafter, applications and fees specified in Section 705 for renewal of California Halibut Bottom Trawl Vessel Permits shall be received by the department, or if mailed, postmarked, on or before April 30 of each permit year. Late fees, late fee deadlines, and late renewal appeal provisions are specified in Fish and Game Code Section 7852.2.

[text]

Note: Authority cited: Sections 1050 and 8494(h), Fish and Game Code. Reference: Sections 1050, 7852.2 and 8494, Fish and Game Code.

Subsections 126(a)(1)(A)3. and 126(a)(2), Title 14, CCR are amended to read:

§ 126. Commercial Take of Tanner Crab.

[text]

3. The applicant must submit ~~a Tanner Crab Trap Vessel Permit application, form FG-1439 (9/05), which is incorporated by reference herein, and the permit fee specified in subsection (a)(2)~~ an application and permit fee as specified in Section 705.

[text]

(2) Permit Fee. The Department shall charge a fee of ~~\$10,000~~ as specified in Section 705 for a Tanner Crab Trap Vessel Permit ~~that is valid from April 1 through March 31.~~

[text]

Note: Authority cited: Sections 713, 1050, 5508, 7090, 7857, ~~and 8026 and 8282~~, Fish and Game Code. Reference: Sections 1050, 1052, 5508, 7050, 7051, 7055, 7056, 7058, 7850, 7857, 7881, 8026, 8031, 8040, 8041, 8042, 8043, 8046, 8051, 8250.5, 8282, 8284, 8834, 9000, 9001, 9002, 9003, 9004, 9005, 9006, 9007, ~~and 9008 and 9011~~, Fish and Game Code.

Subsections 147(a)(2), 147(a)(3)(E)3., 147(a)(3)(E)5., and 147(a)(3)(E)6., Title 14, CCR are amended to read:

§147. Granting and Issuance of Permits to Take and Use Anchovies by a Reduction Process.

[text]

~~(2) Where Issued. Permits may be obtained from the department offices at Long Beach and Monterey. Such permits shall be valid until terminated or revoked. See subsection 699(b) of these regulations for the fee for this permit. The applicant for a permit shall submit the fees and the completed application, as specified in Section 705, to the address listed on the application.~~

[text]

3. Before a vessel operator can file a declaration of intent as required by subsection (a)(3)(E) he must be the operator of a vessel duly registered as provided by section ~~7890~~ 7881 of the Fish and Game Code, and must possess a valid commercial fishing license.

[text]

5. During the period for which the declaration is in force and effect, a named vessel may be used to take, carry and deliver anchovies for other than reduction purposes if, and only if, operator files an exception in accordance with the following provisions:

a. When the operator intends to use said vessel to take anchovies for purposes other than reduction, he shall so notify the ~~Long Beach~~ Los Alamitos or Yountville offices of the department, either by letter or telegram, prior to the commencement of fishing. This notice shall be posted or sent prior to the commencement of fishing and shall be effective only on the vessel named.

[text]

6. Declaration of intent shall be filed with the department during normal working hours at the Yountville, San Diego or ~~Long Beach~~ Los Alamitos office of the department. The declaration of intent shall be filed on forms furnished by the department.

[text]

Note: Authority cited: Sections ~~202~~, 713 and 1050, 7708, 7881 Fish and Game Code.
Reference: Sections 8076 and 8190, Fish and Game Code.

Subsection 149.1(g), (i) and (l)(1), Title 14, CCR is amended to read:

§149.1. Market Squid Fishery Restricted Access Program.

[text]

(g) Application Deadlines for Annual Permit Renewal.

All applications [~~FG 1315 (Rev. 11/05), incorporated by reference herein~~] as specified in Section 705 and permit fees for renewal of Market Squid Vessel Permits, Market Squid Brail Permits, and Market Squid Light Boat Permits must be received by the department at the address specified on the application, or, if mailed, postmarked on or before April 30 of each permit year. Late fees, late fee deadlines, and late renewal appeal provisions are specified in Fish and Game Code Section 7852.2.

[text]

(i) Permit, Transfer and Upgrade Fees.

(1) The department shall charge an annual fee as specified in Section 705 for a permit of each permit class as follows:

(A) Market Squid Vessel Permit - Transferable - ~~\$2,101.25.~~

(B) Market Squid Vessel Permit - Non-Transferable - ~~\$1,050.50.~~

(C) Market Squid Brail Permit - Transferable - ~~\$2,101.25.~~

(D) Market Squid Brail Permit - Non-Transferable - ~~\$1,050.50.~~

(E) Market Squid Light Boat Permit - Transferable - ~~\$630.25.~~

(F) Market Squid Light Boat Permit - Non-Transferable - ~~see Section 699, Title 14, CCR, for the permit fee.~~

(2) The department shall charge a non-refundable fee ~~of five hundred dollars (\$500)~~ as specified in Section 705, for each permit transfer. If more than one permit is involved in the transfer based on provisions defined in subsection (o), a non-refundable fee as specified in Section 705, ~~total of five hundred dollars (\$500) dollars~~ shall be charged for the transaction.

(3) The department shall charge a non-refundable fee as specified in Section 705, ~~of one thousand five hundred dollars (\$1,500)~~ for each Market Squid Brail Permit Upgrade based on provisions defined in subsection (q).

[text]

(l) Change of Vessel Ownership.

(1) If a transferable Market Squid Vessel Permit, Market Squid Brail Permit, or Market Squid Light Boat Permit is issued for a vessel that is owned by an individual or by a bona fide partnership or corporation, and the individual, bona fide partnership, or corporation transfers the title of ownership of the vessel to another entity, the original entity to which the permit is issued must notify the department of the change in ownership, and submit a non-

refundable transfer fee as specified in Section 705 of five hundred dollars (\$500).

[text]

Note: Authority cited: Sections 713, 1050, 7071, 7078, 7923, 8026, 8425, 8428 and 8429.5, Fish and Game Code. Reference: Sections 1050, 7050, 7071, 7701, 7708, 7852.2, 7923, 8026, 8101, 8425, 8428, 8429.5 and 8429.7, Fish and Game Code.

Subsection 150(j) and (n), Title 14, CCR is amended to read:

§150. Nearshore Fishery Restricted Access Program.

[text]

(j) Application Deadline for Nearshore Fishery Permit Renewal. All applications as specified in Section 705 (FG 1326 (Rev. 11/05), incorporated herein by reference) and permit fees for renewal of Nearshore Fishery Permits must be received by the department, or, if mailed, postmarked on or before April 30 of each permit year. Late fees, late fee deadlines, and late renewal appeal provisions are specified in Fish and Game Code Section 7852.2.

[text]

(n) Fees. Notwithstanding Fish and Game Code Section 8587, the fees for a Nearshore Fishery Permit under the restricted access program shall be as follows:

(1) The department shall charge an annual fee for each transferable Nearshore Fishery Permit of \$533.25, as specified in Section 705.

(2) The department shall charge an annual fee for each Non-Transferable Nearshore Fishery Permit of \$533.25, as specified in Section 705.

(3) The department shall charge a non-refundable fee of \$500 for each permit transfer, as specified in Section 705. If more than one permit is required for the transfer, a total of \$500 the fee specified in Section 705 shall be charged.

[text]

Note: Authority cited: Sections 713, 1050, 7071 and 8587.1, Fish and Game Code. Reference: Sections 713, 1050, 7071, 7850, 7852.2, 7857, 7858, 8043, 8046, 8102, 8587, 8587.1, 8588, 8589.5 and 8589.7, Fish and Game Code.

Subsections 150.02(d) and (g)(2), Title 14, CCR are amended to read:

§150.02. Control Dates for Other Nearshore Species; Permits to Commercially Take Deeper Nearshore Fish Species.

[text]

(d) Fees. The fee for a deeper nearshore species fishery permit is \$133.50 is specified in Section 705.

[text]

(g) Renewal.

[text]

(2) Applications as specified in Section 705 ~~[FG 1329 (Rev. 11/05), incorporated herein by reference]~~ and permit fees for renewal of a deeper nearshore species fishery permit must be received by the department, or, if mailed, postmarked on or before April 30 of each permit year. Late fees, late fee deadlines, and late renewal appeal provisions are specified in Fish and Game Code Section 7852.2.

[text]

Note: Authority cited: Sections 713, 1050, 7071 and 8587.1, Fish and Game Code. Reference: Sections 1050, 7071, 7852.2, 7857, 7858, 8585.5 and 8587.1, Fish and Game Code.

Subsections 150.03(g) and (i)(1) and (2), Title 14, CCR are amended to read:

§150.03. Nearshore Fishery Gear Endorsement Program.

[text]

(g) Application Deadline for Nearshore Fishery Permit Gear Endorsement Renewal. All applications as specified in Section 705 ~~[FG 1326 (Rev. 11/05), incorporated herein by reference]~~ and permit fees for renewal of Nearshore Fishery Permit gear endorsements must be received by the department, or, if mailed, postmarked on or before April 30 of each permit year. Late fees, late fee deadlines, and late renewal appeal provisions are specified in Fish and Game Code Section 7852.2.

[text]

(i) Fees. Notwithstanding Fish and Game Code Section 8587, the fees for a Nearshore Fishery Permit gear endorsement under the restricted access programs shall be as follows:

(1) The department shall charge an annual fee for each Nearshore Fishery Permit gear endorsement of \$80.00, as specified in Section 705.

(2) The department shall charge a non-refundable fee of \$75 as specified in Section 705 for each gear endorsement transfer.

[text]

NOTE: Authority cited: Sections 713, 1050, and 8587.1, Fish and Game Code, Reference: Sections 1050, 7852.2, 8046, 8589.5, 8589.7, 9001 and 9001.5, Fish and Game Code.

Subsections 150.05(g) and (i), Title 14, CCR are amended to read:

§150.05. Nearshore Fishery Bycatch Permit Program

[text]

(g) Application Deadline for Nearshore Fishery Bycatch Permit Renewal. All applications as specified in Section 705 [FG 1328 (Rev. 11/05), incorporated herein by reference] and permit fees for renewal of Nearshore Fishery Bycatch Permits must be received by the department, or, if mailed, postmarked on or before April 30 of each permit year. Late fees, late fee deadlines, and late renewal appeal provisions are specified in Fish and Game Code Section 7852.2.

[text]

(i) Fees. The department shall charge an annual fee for each Nearshore Fishery Bycatch Permit of ~~\$213.25.~~ as specified in Section 705.

[text]

Note: Authority cited: Sections 713, 1050, 5510, 8550, 8553, 8555 and 8587.1 Fish and Game Code. Reference: Sections 713, 1050, 7850, 7852.2, 8043, 8496, 8550, 8552, 8552.6, 8553, 8554, 8555, 8556, 8557 and 8559, 8587 and 8587.1, Fish and Game Code.

Subsections 180.3(g) and (m)(2) through (4), Title 14, CCR are amended to read:

§180.3. Restricted Access Spot Prawn Trap Fishery.

[text]

(g) Annual Spot Prawn Trap Vessel Permit Renewal. Applications as specified in Section 705 [FG 1422 (Rev. 11/05) incorporated by reference herein] for renewal of a spot prawn trap vessel permit shall be received by the department, or, if mailed, postmarked, by April 30 of each year. Late fees, late fee deadlines, and late renewal appeal provisions are specified in Fish and Game Code Section 7852.2.

[text]

(m) Fees.

[text]

(2) Annual Renewal Fee. The department shall charge an annual fee for each Tier 1 and Tier 2 spot prawn trap vessel permit of ~~\$266.50 as specified in section 705.~~ The department shall charge an annual renewal fee for each Tier 3 spot prawn trap vessel permit of ~~\$1,066.25.~~ as specified in Section 705. Late fees, late fee deadlines, and late renewal appeal provisions are specified in Fish and Game Code Section 7852.2.

(3) Vessel Transfer Fee. The department shall charge a non-refundable fee of ~~\$200~~ as specified in Section 705 for each vessel transfer.

(4) Change of Ownership Fee. The department shall charge a non-refundable fee of ~~\$50~~ as specified in Section 705 for each change of ownership of the spot prawn trap vessel permit.

[text]

NOTE: Authority cited: Sections 713, 1050 and 8591, Fish and Game Code. Reference: Sections 1050, 7852.2, 8101, 8591, 8593, 8594, 9000, 9001 and 9015, Fish and Game Code.

Subsection 180.15(b) is amended to read:

§180.15. Coonstripe Shrimp(*Pandalus danae*) Fishing.

[text]

(b) The fee for a coonstripe shrimp vessel trap permit is \$80.00. The applicant for a permit shall submit the fees and the completed application, as specified in Section 705, to the address listed on the application.

[text]

Note: Authority cited: Sections 713, 1050, 8591 and 8842, Fish and Game Code. Reference: Sections 1050, 8590, 8591, 8595, 8842, 9001 and 9015, Fish and Game Code.

Section 700.3, Title 14, CCR renumbered from Section 705, Title 14, CCR and amended to read:

~~§705.~~ 700.3. Hunting and Fishing Licenses, Application for.

The following procedure shall be followed in issuing hunting or sport fishing licenses:

(a) A hunting or sport fishing license, except as provided in subsections ~~705~~ 700.3 (b) and (c), Title 14, CCR, shall contain the following information about the licensee before being issued:

(1) True name

(2) Residence address

(3) Date of Birth

(4) Height

(5) Color of eyes

(6) Color of hair

(7) Weight

(8) Sex

(9) Telephone number (required for any person applying for a sport fishing license)

(b) A sport fishing license issued pursuant to subsections 7149(a)(5) or 7149.05(a)(5) of the Fish and Game Code shall contain the name of the angler and the date of validity before being issued to the licensee.

(c) For licenses issued via the current paper license system. Notwithstanding the provisions of Fish and Game Code Section 1053, any person may purchase a hunting or sport fishing license for another person, as long as the application contains the licensee's true name, telephone number and residence address. Prior to using any license, the licensee shall complete the license so that it contains all of the information required in subsection (a) above.

(d) For licenses issued via the Automated License Data System (ALDS) (see Section 700.4). Notwithstanding any provisions of Fish and Game Code, Section 1053, any person

may purchase a hunting or sport fishing license for another person, as long as the licensee's customer identification number issued from the ALDS and date of birth are provided.

(e) For licenses issued via the ALDS. Pursuant to Fish and Game Code Section 1061, any person who wishes to purchase an annual hunting license or annual sport fishing license for another person but does not have available the information required for that purchase may be allowed to purchase a voucher for said license.

Note: Authority cited: Sections 1050 and 4331, Fish and Game Code. Reference: Sections 1050, 1053, 1061, 3031, 4331, 7145, 7149, 7149.05, 7149.2 and 7150, Fish and Game Code.

Subsection 700.4(b), Title 14, CCR is added to read:

§700.4. Automated License Data System.

[text]

(b)Any applicant applying for any license, tag, permit, reservation or other entitlement issued via the ALDS shall provide valid identification. Acceptable forms of identification include:

(1) any license document or identification number previously issued via ALDS

(2) a valid driver's license or identification card issued to him or her by the Department of Motor Vehicles or by the entity issuing driver's licenses from the licensee's state of domicile

(3)US Birth Certificate

(4) US Certificate or Report of Birth Abroad

(5)INS American Indian Card

(6)Birth Certificate or passport issued from a US Territory

(7)US Passport

(8)US Military Identification Cards (Active or reserve duty, dependent, retired member, discharged from service, medical/religious personnel)

(9)Certificate of Naturalization or Citizenship.

(c) Any applicant less than 18 years of age applying for any license, tag, permit, reservation or other entitlement issued via the ALDS shall provide valid identification. Acceptable forms of identification include:

(1)Any form of identification described above; or

(2) A parent or legal guardian's identification as described above.

Note: Authority cited: ~~Section 1050,~~ Sections 1050 and 1054, Fish and Game Code. Reference: ~~Section 1050,~~ Sections 1050 and 1054, Fish and Game Code.

Section 705, Title 14, CCR is amended to read:

~~§705. Hunting and Fishing Licenses, Application for.~~

~~The following procedure shall be followed in issuing hunting or sport fishing licenses:~~

~~(a) A hunting or sport fishing license, except as provided in subsections 705 (b) and (c), Title 14, CCR, shall contain the following information about the licensee before being issued:~~

~~(1) True name~~

~~(2) Residence address~~

- (3) ~~Date of Birth~~
- (4) ~~Height~~
- (5) ~~Color of eyes~~
- (6) ~~Color of hair~~
- (7) ~~Weight~~
- (8) ~~Sex~~

~~(b) A sport fishing license issued pursuant to subsections 7149(a)(5) or 7149.05(a)(5) of the Fish and Game Code shall contain the name of the angler and the date of validity before being issued to the licensee.~~

~~(c) For licenses issued via the current paper license system. Notwithstanding the provisions of Fish and Game Code Section 1053, any person may purchase a hunting or sport fishing license for another person, as long as the application contains the licensee's true name and residence address. Prior to using any license, the licensee shall complete the license so that it contains all of the information required in subsection (a) above.~~

~~(d) For licenses issued via the Automated License Data System (ALDS) (see Section 700.4). Notwithstanding any provisions of Fish and Game Code, Section 1053, any person may purchase a hunting or sport fishing license for another person, as long as the licensee's customer identification number issued from the ALDS and date of birth are provided.~~

~~(e) For licenses issued via the ALDS. Pursuant to Fish and Game Code Section 1061, any person who wishes to purchase an annual hunting license or annual sport fishing license for another person but does not have available the information required for that purchase may be allowed to purchase a voucher for said license.~~

~~Note: Authority cited: Sections 1050 and 4331, Fish and Game Code. Reference: Sections 1050, 1053, 1061, 3031, 4331, 7145, 7149, 7149.05, 7149.2 and 7150, Fish and Game Code.~~

§705 Commercial Fishing Applications, Permits, Tags and Fees

<u>(a) Applications</u>	<u>Permit Fees</u>	<u>Processing Fees</u>
<u>(1) 2010/2011 California Halibut Bottom Trawl Vessel Permit Renewal Application FG 1318 (Rev. 12/09), incorporated by reference herein.</u>	<u>\$48.25</u>	<u>\$7.50</u>
<u>(2) 2010/2011 Commercial Boat Registration Application FG 1384 (Rev. 12/09), incorporated by reference herein.</u>		
<u>(A) Northern Pink Shrimp Trawl Vessel Permit Permit (Transferable)</u>	<u>\$1,269.00</u>	
<u>(B) Northern Pink Shrimp Trawl Vessel Permit (Nontransferable)</u>	<u>\$634.75</u>	
<u>(3) 2010/2011 Coonstripe Shrimp Trap Vessel Permit Application FG 1423 (Rev. 12/09), incorporated by reference herein.</u>	<u>\$95.25</u>	
<u>(4) 2010/2011 Crayfish Permit Application FG 964 (Rev. 12/09), incorporated by</u>	<u>\$38.00</u>	

reference herein.

<u>(5) 2010/2011 Deeper Nearshore Species Fishery Permit Renewal Application FG 1329 (Rev. 12/09), incorporated by reference herein.</u>	<u>\$158.75</u>
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<u>(6) 2010/2011 Market Squid Permit Renewal Application FG 1315 (Rev. 12/09), incorporated by reference herein</u>	
<u>(A) Market Squid Vessel Permit (Transferable)</u>	<u>\$2,500.50</u>
<u>(B) Market Squid Vessel Permit (Nontransferable)</u>	<u>\$1,250.25</u>
<u>(C) Market Squid Brail Permit (Transferable)</u>	<u>\$2,500.50</u>
<u>(D) Market Squid Brail Permit (Nontransferable)</u>	<u>\$1,250.25</u>
<u>(E) Market Squid Light Boat Permit (Transferable)</u>	<u>\$750.25</u>
<u>(F) Market Squid Light Boat Permit (Nontransferable)</u>	<u>\$48.25</u>

<u>(7) 2010/2011 Nearshore Fishery Bycatch Permit Renewal Application FG 1328 (Rev. 12/09), incorporated by reference herein.</u>	<u>\$254.00</u>
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<u>(8) 2010/2011 Nearshore Fishery Permit and Nearshore Fishery Trap Endorsement Renewal Application FG 1326(Rev. 12/09), incorporated by reference herein.</u>	
<u>(A) 2010/2011 North Coast Region Nearshore Fishery Permit (Transferable/Nontransferable)</u>	<u>\$634.75</u>
<u>(B) 2010/2011 North-Central Coast Region Nearshore Fishery Permit (Transferable/Nontransferable)</u>	<u>\$634.75</u>
<u>(C) 2010/2011 South Coast Region Nearshore Fishery Permit (Transferable/Nontransferable)</u>	<u>\$634.75</u>
<u>(D) 2010/2011 South-Central Coast Region Nearshore Fishery Permit (Transferable/Nontransferable)</u>	<u>\$634.75</u>
<u>(E) 2010/2011 North Coast Region Nearshore Fishery Trap Endorsement (Transferable/Nontransferable)</u>	<u>\$95.25</u>
<u>(F) 2010/2011 North-Central Coast Region Nearshore Fishery Trap Endorsement (Transferable/Nontransferable)</u>	<u>\$95.25</u>
<u>(G) 2010/2011 South Coast Region Nearshore Fishery Trap Endorsement Permit (Transferable/Nontransferable)</u>	<u>\$95.25</u>
<u>(H) 2010/2011 South-Central Coast Region Nearshore Fishery Trap Endorsement Permit (Transferable/Nontransferable)</u>	<u>\$95.25</u>

<u>(9) 2010/2011 Nonrestrictive Commercial Fishing Permits Application FG 1375 (Rev. 12/09), incorporated by reference herein.</u>	
<u>(A) 2010/2011 Anchovy Take Permit</u>	<u>\$38.00</u>
<u>(B) 2010/2011 Bay Shrimp Permit</u>	<u>\$38.00</u>
<u>(C) 2010/2011 Golden and Ridgeback Prawn Trawl Permit</u>	<u>\$38.00</u>
<u>(D) 2010/2011 Ghost Shrimp Permit</u>	<u>\$38.00</u>
<u>(E) 2010/2011 Northern Rock Crab Trap Permit</u>	<u>\$312.75</u>
<u>(F) 2010/2011 Sea Urchin Crewmember Permit</u>	<u>\$38.00</u>
<u>(G) 2010/2011 Southern Pink Shrimp Permit.</u>	<u>\$38.00</u>
<u>(H) 2010/2011 Tidal Invertebrate Permit</u>	<u>\$38.00</u>
<u>(10) 2010/2011 Permit to Take Fish in California Waters and Deliver to a Port Outside of California Application WPD 917 (Rev. 12/09), incorporated by reference herein.</u>	<u>\$19.00</u>
<u>(11) 2010/2011 Spot Prawn Trap Vessel Permit Renewal Application FG 1422 (Rev. 12/09), incorporated by reference herein.</u>	
<u>(A) Tier 1 Spot Prawn Trap Vessel Permit</u>	<u>\$317.00</u>
<u>(B) Tier 2 Spot Prawn Trap Vessel Permit</u>	<u>\$317.00</u>
<u>(C) Tier 3 Spot Prawn Trap Vessel Permit</u>	<u>\$1,269.00</u>
<u>(12) 2010/2011 Southern Rock Crab Trap Permit Renewal Application FG 1324 (Rev. 12/09), incorporated by reference herein.</u>	<u>\$312.75</u>
<u>(13) 2010/2011 Tanner Crab Trap Vessel Permit Application FG1439 (Rev. 12/09), incorporated by reference herein.</u>	<u>\$11,900.50</u>

(b) Transfer, Upgrade, or Change of Ownership

	<u>Fees</u>
<u>(1) Lobster Operator Permit Transfer</u>	<u>\$500.00</u>
<u>(2) Market Squid Permit Transfer (Nonrefundable)</u>	<u>\$500.00</u>
<u>(3) Market Squid Brail Upgrade</u>	<u>\$1,500.00</u>
<u>(4) Market Squid Permit Change of Vessel Ownership</u>	<u>\$500.00</u>
<u>(5) Nearshore Fishery Permit Transfer</u>	<u>\$500.00</u>
<u>(6) Nearshore Fishery Trap Endorsement Transfer</u>	<u>\$75.00</u>
<u>(7) Northern Pink Shrimp Trawl Vessel Permit Transfer Application FG 1419 (Rev. 3/10), incorporated by reference herein.</u>	
<u>(A) Northern Pink Shrimp Trawl Vessel Permit (New Owner) Transfer</u>	<u>\$1,000.00</u>
<u>(B) Northern Pink Shrimp Trawl Vessel Permit (Same Owner) Transfer</u>	<u>\$200.00</u>
<u>(C) Northern Pink Shrimp Trawl Vessel Permit (Temporary) Transfer</u>	<u>\$100.00</u>
<u>(8) Spot Prawn Trap Vessel Permit Transfer</u>	<u>\$50.00</u>
<u>(9) Spot Prawn Trap Vessel Permit Change of Vessel Ownership</u>	<u>\$200.00</u>
<u>(10) Southern Rock Crab Trap Permit Transfer</u>	<u>\$1,000</u>

(c) Tags and Miscellaneous

Fees

<u>(1) Commercial Surfperch Tags</u>	<u>\$10.00 (Per Order)</u>
<u>(2) Importation and Sale of Kelp Bass, Sand Bass, and Spotted Bass Tags.</u>	<u>\$10.00 (Per Order)</u>
<u>(3) Pismo Clams Imported into California</u>	<u>\$10.00 (Processing Fee Per Entry)</u>
<u>(4) 2010 Sea Urchin Diving Permit Drawing</u>	<u>No Fee</u>
<u>Application FG 1440 (Rev. 12/09), incorporated by reference herein.</u>	

(d) Pursuant to the provisions of Section 699, Title 14, the department shall annually adjust the fees of all license, stamps, permits, tags, or other entitlement required by regulations set forth in this section.

Note: Authority cited: Sections 713 and 1050, Fish and Game Code. Reference: Sections 713 and 1050, Fish and Game Code.